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16 MAR 1977

MEMORANDUM FOR: Director of Data Processing

FROM : F. W. M. Janney
Director of Personnel

SUBJECT : Minority Hiring Policies

REFERENCE : Memo for D/Pers fr D/ODP dtd 8 Feb 77, same subj.

1. We appreciate the problem posed in your memorandum of 8 February and have considered the ramifications of a policy which would accommodate your request. With one exception, there is no way within the constrictions of budget or personnel ceilings to bring personnel on board in such a way as not to reflect in ceiling charges or CSGA somewhere on Agency records. The only exception to ceiling charges, but not to budgetary allocations, is the appointment of employees in temporary status to perform work temporary in nature, a condition which does not obtain in your situation. Such appointments are limited to one year, moreover, and would not solve your longer range concerns.

2. As we understand the DDA offer in paragraph two of reference, any over ceiling situation which results from minority hiring would not be approved to extend beyond a fiscal year except in emergency situations. An approved over ceiling situation of any nature, however, would not relieve an office of the ceiling charges or CSGA controls. The establishment of a cadre of slots within the office of the DDA to be used for the hiring of minority employees on an emergency or temporary basis would perhaps solve the concerns of an individual office, but would not change the Directorate situation. The positions and CSGA for such a cadre would necessarily be taken from the staffing complements of the individual DDA offices, reducing ceilings available for component assignments. Any "separate set of books" for ODP would have the same effect; to establish the positions for such a "set" would require ceiling and CSGA.

3. All Agency components face the same problem ODP has in the matter of personnel ceiling controls and hiring new employees, complicated at the present time by the temporary restriction on hiring

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imposed by the President on 1 March 1977. Until new personnel ceilings are established for all Government agencies in April, the Agency is limited in the hiring of new employees to 75% of the number of vacancies which occur after 28 February 1977. (Agencies are not being allowed to employ temporary or part-time employees to fill full-time permanent positions.) The ceiling base for this restriction is the on-duty strength of 28 February, and does not permit filling the positions vacant on that date. While this is a temporary restriction until the new personnel ceilings can be approved, it is clear evidence of the tight controls we can expect will be imposed on personnel numbers in the future.

4. The governmental restrictions on personnel ceiling and budget require agencies to administer their personnel resources in as careful a manner as possible. A personnel management system which contributes to good administration and effective production consists of many elements, among them sound organization and position structures, avoidance of layering, systematic personnel planning and goal setting. Advance planning for personnel needs is a key factor and, combined with improved utilization of on-board personnel, identification of marginal performers (with appropriate action to improve performance or to separate) and selection of new employees against identified needs, should provide the flexibility needed to bring qualified new personnel on board in orderly fashion.

5. We regret we are unable to provide an easy solution to your very difficult problems, problems faced by every other manager in this and other Government agencies. The control of personnel ceiling is not an arbitrary decision on the part of the Agency but is imposed by OMB and is government-wide. The control on CSGA is internal Agency policy, inherent in the decentralized competitive evaluation/promotion system. These controls cannot be avoided, and equal employment opportunity programs and the appointment of minority employees do not qualify under Government rules for exceptions to such controls.

(Signed) F. W. M. Janney

F. W. M. Janney

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OP/P&C/RS/ lrm (14 Mar 77)

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